

Atty. Dkt. No. K01-002
(formerly 0013.US00)

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

Claims 20-25, 28-39, 43-45, 47 and 48 are requested to be canceled without prejudice or disclaimer.

Claims 1-19, 42 and 46 are pending in this application and are submitted for reconsideration by the Examiner.

Applicant acknowledges the Examiner's statement regarding the submission of duplicate references. Applicant will take care to avoid such duplicate submissions in the future.

The abstract was objected to as being too long. Applicant has submitted a new Abstract herewith to overcome the objection.

Claims 1, 4-19, 42 and 46-48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over igure.com. Further, claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over igure.com in view of David King, "SOLICITING VIRTUAL MONEY," Library Journal (hereinafter "King"). As to canceled claims 47 and 48, the rejection is moot. Applicant respectfully traverses the rejection of claims 1-19, 42 and 46 for at least the following reasons.

As described in a previous reply, the present invention relates to systems and methods for soliciting charitable donations from online shoppers involved in electronic commerce.

Embodiments of the invention encourage and motivate a shopper to make a donation. For example, in one embodiment, during an e-commerce transaction, the online shopper is provided with a suggestion on the amount of donation. The amount suggested may be, for example, dependent on the amount of the purchase made by the online shopper in the e-commerce transaction. Thus, rather than merely allocating a part of the purchase as a donation in a passive manner, the embodiments of the invention provide for the online shopper to become actively

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involved and can select the amount of donation, thereby encouraging and motivating the online shopper to make a donation. Accordingly, independent claim 1 recites "providing one or more suggestions on the amount of donation." Independent claims 46-48 each recite a similar feature.

Igive.com fails to teach or suggest at least this feature of the claimed invention. Igive.com discloses a web enterprise in which a portion of the money spent by a shopper on goods is allocated as a donation to charity. Once the shopper completes his/her shopping, the web enterprise allocates a portion of the purchase as a donation to the charity. The portion is determined solely by the web enterprise as a percentage of the purchase total. The shopper is not given the opportunity to determine the amount allocated as a donation and has no input as to the amount of donation. Accordingly, igive.com does not provide the shopper with any suggestion on the amount of donation.

In the "Response to Arguments," the Office Action asserts that "Applicant admits that Igive.com does take steps to encourage or suggest a donation amount by disclosing that up to 12% are donated to charity, and by providing the totals raised by web enterprise." Applicant respectfully disagrees with this interpretation of Applicant's remarks. Applicant has nowhere admitted that Igive.com takes "steps to encourage or suggest a donation amount." To the contrary, Applicant argued and maintains that igive.com merely indicates that up to 12% of the purchases are donated to a charity and in way suggests or provides the shopper with an opportunity to determine an amount to be donated. Further, Applicant has argued that the totals raised by the web enterprise do not constitute a suggestion of a donation amount.

Since the cited references fail to teach or suggest at least "providing one or more suggestions on the amount of donation," independent claims 1 and 46 are patentable. Claims 2-19 and 42 depend, either directly or indirectly, from allowable claim 1 and are, therefore, patentable for at least that reason, as well as additional patentable features when those claims are considered as a whole.

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Claims 20, 21, 24-39 and 43-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over igive.com in view of U.S. Patent Publication No. 2001/0007099 by Rau et al. (hereinafter "Rau"). Further, claims 22 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of igive.com and Rau in further view of King. Applicant has canceled claims 20-25, 28-39 and 43-45, and claims 26 and 27 were canceled by way of an earlier amendment. The rejections of these claims are, therefore, moot.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-1674. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1674. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-1674.

Respectfully submitted,

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By 

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